

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

PAUL GREGORY HOUSE,)	
)	
Petitioner,)	No. 3:96-cv-883
)	
v.)	Judge Mattice
)	
)	
RICKY BELL, Warden,)	
)	
Respondent.)	

ORDER

This matter was remanded to this Court by the United States Court of Appeals for the Sixth Circuit to further develop the factual record as to whether the State of Tennessee has complied with the Court's Order of December 20, 2007 granting a conditional writ of habeas corpus. More specifically, the Sixth Circuit stated that the record presently before it is inadequate to permit it to determine two issues: (1) whether the State has "commenced" a new trial against Petitioner; and (2) whether the State has violated Petitioner's due process rights during the conditional period.

In order to address these issues, the Court conducted an evidentiary hearing on September 18, 2008. Following such hearing, and as stated on the record at such hearing, this Court finds that the State of Tennessee is in substantial compliance with the terms of its Order of December 20, 2007, and that Petitioner's due process rights have not been violated during the conditional period. Accordingly, Petitioner's motion to issue an unconditional writ of habeas corpus and bar Petitioner's re-prosecution by the State of Tennessee is **DENIED**.

The Clerk of Court is **DIRECTED** to close this case.

ENTER :

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE